

REMARKS

Applicants appreciate the Examiner's allowance of Claims 37-41, 43-52 and 69.

Amendment to Claims

In order to clarify the claimed invention, Applicants are amending independent Claims 1, 23, and 53 (and some of the dependent claims to be consistent therewith). For example, Claim 1 has been amended to add the feature "wherein the light absorbing layer covers an entire top surface of the organic resin." Claims 23 and 53 have been amended to add the feature "wherein the light absorbing multilayer film covers an entire top surface of the organic resin." These features are supported by, for example, at least Fig. 5B and Embodiment 2 of the specification (see e.g. page 32, lines 16-24). For example, Fig. 5B shows that the light absorbing layer is formed on the entire top surface of the insulating layer 914 (i.e. organic resin).

Accordingly, it is respectfully requested that these amendments be entered and allowed.

Applicants will now address each of the Examiner's remaining objections and rejections in the order in which they appear in the Final Rejection.

Claim Objections

In the Final Rejection, the Examiner objects to Claim 7 as being a duplicate of Claim 28. Applicants respectfully disagree as Claims 7 and 28 are not duplicates since each is dependent on a different claim.

As was previously explained, Claim 7 is dependent on Claim 1 and Claim 28 is dependent on Claim 23, and each of the independent claims recite different language and features.

Further, Claim 1, from which Claim 7 depends, has been amended to recite “a light absorbing layer” instead of “~~a light absorbing multilayer film~~” (this amended feature is supported by, for example, page 15, lines 20-23 of the specification). Claim 23, from which Claim 28 depends, recites “a light-absorbing multilayer film including *three layers formed of different materials*” (emphasis added). For clarity, dependent Claim 28 has been amended to recite “wherein the light-absorbing multilayer film comprises a laminate of a metal film mainly composed of aluminum, a silicon nitride film, a titanium nitride film, and another silicon nitride film, stacked in this order” (this amended feature is supported by, for example, page 15, lines 10-14 of the specification).

Therefore, Claims 7 and 28 are not substantial duplicates, and it is respectfully requested that this objection be withdrawn.

Claim Rejections - 35 USC §102

The Examiner rejects Claims 1-5, 10, 12, 53-57, 61, 63, 67 and 70 under 35 USC §102(b) as being anticipated by Hamada (US 6,114,715). This rejection is respectfully traversed.

More specifically, in the Final Rejection, the Examiner contends that Hamada teaches “a light-emitting device comprising: an anode as the first electrode (53 + 103).” However, “electrode 53” in Hamada is different than “anode 103.” Electrode 53 is not an anode but a “source electrode.” See col. 8, line 19 in Hamada. Hence, Hamada treats 53 and 103 as separate electrodes and one skilled in the art reviewing the reference would also view them as two separate electrodes. Therefore, it is not proper to construe electrodes 53 and 103 as one electrode.

Further, if source electrode 53 is construed to be the first electrode, then Hamada fails to disclose or suggest the claimed feature of Claims 1 and 53 of “a layer comprising an organic compound formed over *and in contact* with the first electrode” (emphasis added), as layers 104-107

are not in contact with electrode 53.

Further, if anode 103 is considered to be the first electrode, then Hamada fails to disclose or suggest the claimed features of Claims 1 and 53 of “a first electrode formed over and in contact with the insulating film and connected to the thin film transistor through the insulating film;” and “a partition wall covering an edge of the first electrode and formed over the insulating film.”

Furthermore, Hamada does not disclose the features of amended independent Claims 1 and 53. For example, the Examiner contends that Hamada discloses a light-absorbing layer (2) and a layer comprising an organic compound (54 + 2). Since black matrix layer 2 does not cover the entire surface of layer 54, Hamada cannot disclose the claimed feature of “wherein the light absorbing layer covers an entire top surface of the organic resin” (Claim 1) or “wherein the light absorbing multilayer film covers an entire top surface of the organic resin” (Claim 53).

In addition, any argument regarding modifying Hamada to form the black matrix layer 2 over the entire surface of the insulating film 54 (there is no disclosure or suggestion of this and therefore there can be no anticipation rejection) would be unreasonable and illogical as only a very small light emitting region would remain, making it undesirable to do so. Furthermore, Hamada appears to only be concerned with covering the TFT 43 with the black matrix layer 2, as shown in Fig. 8, and suppressing optical crosstalk caused by scattering light originated in the El element (abstract and col. 6 lines 3-22). However, the present application discloses as a feature of the invention, “Since outside light is absorbed by the light-absorbing multilayer film provided on the upper layer of the partition wall, the reflected light of electrodes and wirings existing at the lower side can be suppressed” (emphasis added; see e.g. page 32, lines 18-22). Hence, there would be no reason for one reading Hamada to make this change.

Accordingly, independent Claims 1 and 53 are not disclosed or suggested by Hamada, and

Claims 1 and 53 and those claims dependent thereon are patentable over Hamada. Therefore, it is respectfully requested that this rejection be withdrawn.

Claim Rejections - 35 USC §103

Claims 8, 11, 13-15, 59, 62 and 64-66

The Examiner also rejects Claims 8, 11, 13-15, 59, 62 and 64-66 under 35 USC §103(a) as being unpatentable over Hamada. This rejection is also respectfully traversed.

Each of these claims is a dependent claim. Therefore, for at least the reasons discussed herein for the independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 9 and 60

The Examiner also rejects Claims 9 and 60 under 35 USC §103(a) as being unpatentable over Hamada in view of Oda et al. (US 6,396,208). This rejection is also respectfully traversed.

Each of these claims is a dependent claim. Therefore, for at least the reasons discussed herein for the independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 1-2, 4-5, 8, 10-15, 53-54, 56-57, 59 and 61-66

The Examiner also rejects Claims 1-2, 4-5, 8, 10-15, 53-54, 56-57, 59 and 61-66 under 35 USC §103(a) as being unpatentable over Hamada in view of Iwase et al. (US 6,768,534). This rejection is also respectfully traversed.

As explained above, independent Claims 1 and 53 are not disclosed or suggested by Hamada.

Iwase also does not disclose or suggest the features of Claims 1 and 53 discussed above (Iwase being cited by the Examiner for a different reason). Hence, even if it is proper to combine these references (which Applicants do not admit), the combination still fails to disclose or suggest the device of independent Claims 1 and 53.

Accordingly, independent Claims 1 and 53 and those claims dependent thereon are patentable over the cited references, and it is respectfully requested that this rejection be withdrawn.

Claims 9 and 60

The Examiner also rejects Claims 9 and 60 (a second time) under 35 USC §103(a) as being unpatentable over Hamada in view of Iwase and in view of Oda. This rejection is also respectfully traversed.

Each of these claims is a dependent claim. Therefore, for at least the reasons discussed herein for the independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 1-5, 8, 10-15

The Examiner also rejects Claims 1-5, 8, 10-15 under 35 USC §103(a) as being unpatentable over Hamada in view of Kaneda et al. (JP 2000-269473). This rejection is also respectfully traversed.

As explained above, independent Claim 1 is not disclosed or suggested by Hamada. Kaneda also does not disclose or suggest the features of Claim 1 discussed above (Kaneda being cited by the Examiner for a different reason). Hence, even if it is proper to combine these references (which Applicants do not admit), the combination still fails to disclose or suggest the device of independent

Claim 1.

Accordingly, independent Claim 1 and those claims dependent thereon are patentable over the cited references, and it is respectfully requested that this rejection be withdrawn.

Claim 9

The Examiner also rejects Claim 9 under 35 USC §103(a) as being unpatentable over Hamada in view of Kaneda et al. and Oda et al. This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed herein for the independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 23-27, 29, 31-36 and 68

The Examiner also rejects Claims 23-27, 29, 31-36 and 68 under 35 USC §103(a) as being unpatentable over Hamada in view of Kaneda et al.. This rejection is also respectfully traversed.

For similar reasons as discussed above for Claims 1 and 53, the claimed features of independent Claim 23, including the new feature, are also not disclosed or suggested by Hamada or Kaneda. Hence, even if it is proper to combine these references (which Applicants do not admit), the combination still fails to disclose or suggest the device of independent Claim 23.

Accordingly, independent Claim 23 and those claims dependent thereon are patentable over the cited references, and it is respectfully requested that this rejection be withdrawn.

Claim 30

The Examiner also rejects Claim 30 under 35 USC §103(a) as being unpatentable over

Hamada in view of Kaneda et al. and Oda et al. This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed herein for the independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Information Disclosure Statement

Applicants are submitting an information disclosure statement (IDS) herewith. It is respectfully requested that this IDS be entered and considered at this time and prior to the issuance of any further action for this application.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee is due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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